

SHELTER

THE RENTERS (REFORM) BILL NEEDS RESCUING. NOW.

The Government promised a Renters Reform Bill which would strike a 'better deal for renters'. But the twenty organisations making up the Renters Reform Coalition all agree: the Bill which has made its way to the House of Lords is completely inadequate.

At every stage, renters have been calling for improvements so the bill can deliver meaningful change. The government's imbalanced approach to amending the legislation in the Commons ignored these calls. Instead, the Bill has been diluted with concessions to backbench rebels and loopholes for rogue landlords to slip through.

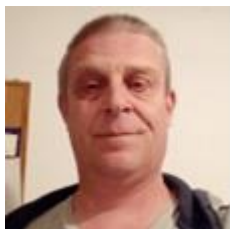
In recent weeks, debate around the Bill has understandably centred on when Section 21 will be scrapped and when the new tenancy system would come into force. But it's absolutely vital that proper scrutiny is given to the proposed substance of that system, or else there is significant risk that it is new in name only. We are therefore calling on all Peers to make this Bill fit for purpose.

These four real stories represent the shocking realities faced by too many of England's 11 million renters.

This Bill could protect them from more of these stressful, dehumanising experiences – but only with a serious overhaul.



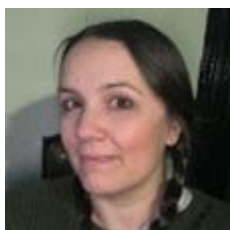
Libs, Norwich: "Our boiler was left broken all winter, so the house was extremely damp. One of my housemates had a persistent chest infection, but while they moved back with their parents to recover, all their belongings rotted in the bedroom. In another house, I asked for the leak in my room to be fixed. The reply was "we'll see". It's bizarre that landlords are free to rent out houses in awful conditions with no accountability on them to maintain their property."



Dave, Surrey: "My son and I spent 6 months looking for a home after we were evicted via a Section 21 'no-fault' eviction. I'm on disability benefits. As soon as I mentioned this, letting agents and landlords switched off. Some even said directly they "don't rent to people on benefits". They didn't care that this is illegal. Everyone asked for guarantors, but I am 52-years-old. My parents are no longer here, I don't have people to fall back on. We were one day away from homelessness when we finally found somewhere, and I had to beg a landlord on my knees."



Roxanne, London: "I have been private renting since 2009, and in temporary accommodation in the private rented sector since 2014 when housing benefit was capped. From my experience, letting agents tell contractors "do not replace, just fix." They use a few nails, or pennies. I've even found them taking things from skips to fix things. I'm always met with the attitude that I should be grateful for having a roof over my head. So I shouldn't complain. But the roof over our heads is causing sickness because of disrepair."



Michelle, Cheshire: "My kids are 16 and 18-years-old, and we've moved 5 times in their lives. All because of eviction, disrepair and rent increases. My rent has gone up £100-a-year every year for four years. And I know my landlord doesn't have a mortgage. I keep wondering if this could be my last year in our home, because I can't afford much more. My 16-year-old has ADHD, and he has had to move schools because of us moving. It's impacted him. I wish I could just put my roots down and have a stable environment for my kids to grow up in."

NOTHING LESS THAN A REWRITE WILL DO.

A BILL THAT RENTERS COULD FULLY SUPPORT MUST:

1. **Lengthen notice periods (where the tenant has not breached the tenancy agreement) from two months to four months.** As currently drafted the Bill would give tenants just two months' notice when served with an eviction notice where the landlord wants to sell or move themselves or a family member back into the home. This is the same as a Section 21 no fault eviction, recreating instability found in the current system, and risks seeing many tenants continuing to face homelessness because of short notice evictions.
2. **Extend the protection period at the start of a tenancy from six months to two years, in line with previous proposals.** With just 6 months protection from eviction from the beginning of a tenancy, many tenants will be worse off than under the current system, in which the most common length of fixed term contract is 12 months. Tenants could continue to face frequent unwanted home moves which has a significant impact on their mental and physical wellbeing, and is costing renters millions every year according to Shelter research.
3. **Increase the 'no reletting' period from 3 months to 12 months, and introduce high evidence thresholds and punitive fines for misrepresentation.** Without clear deterrents and safeguards against misuse of new and existing possession grounds, unscrupulous landlords will be able to continue to evict tenants unfairly – for example in retaliation to making a complaint about disrepair or challenging an unfair rent increase.
4. **Scrap Ground 8A (the new mandatory eviction ground for repeated serious rent arrears).** This new possession ground is punitive and risks punishing tenants who have experienced financial shocks but ultimately have repaid arrears. Landlords will be able to evict tenants for historic arrears, regardless of the level of arrears at the time of eviction. Furthermore, there is an existing possession ground for persistent arrears, and Shelter has not seen evidence that this ground is insufficient in dealing with rare cases of deliberate underpayment of rent.
5. **Reverse changes to anti-social behaviour eviction grounds to protect renters from spurious accusations.** The proposed changes to the definition of relevant behaviour in ground 14 to behaviour “capable of causing nuisance or annoyance” risks enabling landlords who deliberately target or misguidedly accuse vulnerable tenants of anti-social behaviour for minor behavioural complaints. This could increase the risk of eviction for already more vulnerable private renters, such as those experiencing domestic abuse and those with neurodiverse conditions.
6. **Make all section 8 grounds discretionary, as is currently the case in Scotland.** Evictions cause significant disruption to tenants' lives and are an extreme measure. The Bill should be guided by the core aim of reducing insecurity in the sector, and as such limiting the instances of eviction to cases where there are no alternative courses of action. Giving courts discretion would enable landlords to retain the right to regain possession of their property but ensure that suitable other avenues have been explored before granting possession and evicting the tenant from their home.
7. **Limit annual rent increases within tenancies to the lowest of inflation (CPI) or median wage growth.** The bill currently does nothing to prevent very large rent increases. As such, increasing the rent will continue to be a means by which landlords can force tenants out of the property unfairly, and will undermine core reforms in the bill to deliver greater security for renters. Shelter supports the Renters Reform Coalition's calls for indexed limits to in-tenancy rent increases.

8. **Ensure that the information tenants and local authorities need to uphold rights are included on the property portal.** The government should specify what information, at minimum, must be included in the design of the property portal. This should include rent levels, basic safety information and the use of possession notices and resulting evictions to aid with enforcement of tenant rights and to realise the full potential of the portal.
9. **Remove requirements to prove discrimination against renters claiming benefits or with children is intentional.** The government has introduced clauses to prohibit blanket refusals on letting to these groups of renters. However, the requirement that those raising discrimination cases would need to prove the landlord *intentionally* did so, will prevent many of those renters from accessing justice. Instead, the clauses should be amended to focus on the discriminatory *impact* of these practices.
10. **Tackle wider discriminatory practices by capping rent in advance requests to one month and setting restrictions on the scenarios in which a landlord or letting agent can legitimately request a guarantor and the amount which can be 'guaranteed'.** These are common practices Shelter sees being used to unfairly prevent low-income renters and renters claiming housing benefits from accessing properties in the private rented sector. These practices disproportionately impact women, renters with a disability, and Black and Bangladeshi renters.

Contact: If you have any questions or would like further information on any of the above policy calls, please contact public_affairs@shelter.org.uk. We have specific briefings and draft amendments available, as well as more detailed versions of the case studies on page 1.

